

Message Text

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ACTION EB-08

INFO OCT-01 AF-08 ARA-06 EUR-12 IO-13 ISO-00 L-03 EA-07
NEA-10 CCO-00 CIAE-00 OTPE-00 FCC-01 INR-07 NSAE-00
OC-06 USIA-06 COME-00 BIB-01 SS-15 NSC-05 SP-02 OIC-02
/113 W

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R 241707Z JAN 77
FM USMISSION GENEVA
TO SECSTATE WASHDC 4709
INFO AMEMBASSY BOGOTA
AMEMBASSY BRASILIA
AMEMBASSY LIBREVILLE
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY NAIROBI
AMEMBASSY QUITO

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FOR EB/TD AND L/EB/STOWE

LONDON FOR ECON/TRC

E.O. 11652: N/A
TAGS: ETEL ITU CFCO EC GB KE UG UK UR US
SUBJ: ITU BROADCASTING-SATELLITE CONFERENCE: CLAIM TO SOVEREIGNTY
OVER GEOSTATIONARY ARC

REF: GENEVA 367 (NOTAL)

1. FOLLOWING HAS TRANSPIRED SINCE REFTEL ON SOVEREIGNTY ISSUE.

2. BORIS GRIGOR'YEVICH MAYORSKIY, CHIEF OF SECTION, TREATY
AND LEGAL DEPARTMENT, USSR MINISTRY OF FOREIGN AFFAIRS, WHO
HAS JOINED SOVDEL SINCE BEGINNING OF BROADCASTING-SATELLITE
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CONFERENCE, RAISED SOVEREIGNTY CLAIM MATTER WITH MEMBER OF
USDEL 24 JANUARY.

3. MAYORSKIY DISPLAYED CONFERENCE DOCUMENT NO. 121 DATED 24
JANUARY WHICH HAD JUST BEEN DISTRIBUTED. MARKED AS BEING
INTENDED FOR CONFERENCE COMMITTEES 5 (PLANNING) AND 6 (PROCEDURES)
AND AS EMANATING FROM COLOMBIA, CONGO, ECUADOR, GABON,

KENYA, AND UGANDA, DOCUMENT READS AS FOLLOWS: BEGIN TEXT

WITH REFERENCE TO THE CONTENTS OF DOCUMENT NO. 103 SUBMITTED TO COMMITTEE 5, WE NOTE THAT SOME ADMINISTRATIONS HAVE REQUESTED ORBITAL POSITIONS FOR THEIR SATELLITES THAT ARE LOCATED WITHIN THE GEOGRAPHICAL COORDINATES CORRESPONDING TO THE TERRITORIAL BOUNDARIES OF THE EQUATORIAL COUNTRIES.

WE WISH TO INFORM THOSE ADMINISTRATIONS AND THE CONFERENCE THAT THE POSITIONING OF ANY SUCH GEOSTATIONARY SATELLITE IS SUBJECT TO THE PRIOR CONSENT OF THE EQUATORIAL COUNTRY CONCERNED AND TO ITS NATIONAL LEGISLATION.

IN THE EVENT OF SUCH CONSENT NOT BEING SOUGHT OR OBTAINED, THE EQUATORIAL COUNTRIES WILL BE OBLIGED TO ENFORCE THE RELEVANT NATIONAL LAWS, WITH ALL THE CONSEQUENCES THAT THIS MIGHT ENTAIL, RESORTING TO ANY TECHNICAL OR OTHER MEANS AT THEIR DISPOSAL.
END TEXT

(DOC. 103 IS COMPILATION OF COUNTRY REQUIREMENTS.)

4. MAYORSKIY MADE FOLLOWING POINTS

A. SILENCE BY COUNTRIES(SUCH AS USSR AND USA) NOT SUPPORTING CLAIM TO SOVEREIGNTY OVER EQUATORIAL ARC HAS ENCOURAGED RATHER THAN DISCOURAGED ASSERTION OF CLAIM. (WE ARE INCLINED TO AGREE AT LEAST THAT ABSENCE OF ANY CHALLENGE HAS NOT DAMPENED EQUATORIAL GROUP'S ENTHUSIASM.)

B. HE IS CONCERNED LEST SITUATION LEND ITSELF TO INTER-LIMITED OFFICIAL USE

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PRETATION OF CONSENT THROUGH SILENCE. (WE SHARE HIS CONCERN.)

C. HE EXPRESSED BELIEF THAT GAME OF COLOMBIA AND OTHER EQUATORIALS AT PRESENT CONFERENCE WAS TO END-RUN UN SUB-COMMITTEE ON OUTER SPACE WHICH WAS PROPER FORUM BUT WHERE THEY HAD BEEN STYMIED. SILENCE WOULD ABET SUCH AN ATTEMPT.

D. HE SAID SOVEMB BOGOTA HAD REPORTED US NEGATIVE REPLY TO COLOMBIAN NOTE REGARDING CLAIM. (THIS WAS MAYORSKIY'S WAY OF SAYING USSR KNEW US SHARED ITS VIEW OF MATTER AND HAD EXPRESSED IT TO COLOMBIA.)

E. MAYORSKIY HINTED STRONGLY THAT US WOULD BE APPROPRIATE COUNTRY TO TAKE LEAD IN REFUTING EQUATORIAL INITIATIVE, WHEREUPON USSR WOULD SUPPORT.

F. HE SAID SOVDEL HAD SIMILARLY APPROACHED UKDEL, WHICH WOULD CHECK WITH EEC COUNTRIES.

5. USDEL, ALONG WITH THOSE SIMILARLY MINDED ON SOVEREIGNTY ISSUE, HAVE AVOIDED TAKING UP CUDGEL AT COMMITTEE, WORKING GROUP, AND SUB-WORKING GROUP LEVEL, TO AVOID PROLONGING ALREADY OBJECTIONABLE WASTE OF TIME ON SUBJECT.

6. WE PLAN TO REPLY TO SOVDEL
ALONG FOLLOWING LINES:

A. US AGREES COUNTRIES OPPOSED TO SOVEREIGNTY CLAIM NEED TO SAY SO AT THIS CONFERENCE AND SHOULD GIVE THEIR REASONS.

B. FOR OBVIOUS REASONS US WISHES AVOID TAKING INITIATIVE ON THIS MATTER BUT WOULD BE PREPARED SUPPORT DISSENTING STATEMENT TO SOVEREIGNTY CLAIM BY USSR OR ANOTHER COUNTRY.

7. MATTER MAY BECOME MOOT BEFORE USDEL CAN REPLY TO SOVDEL.
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ITU DEPUTY SECRETARY BUTLER CONSIDERS IT IMPORTANT THAT VIEWS AT VARIANCE WITH SOVEREIGNTY CLAIM BE EXPRESSED SOON, AND EXPECTS UK TO DO SO TOMORROW (25 JANUARY) IN WORKING GROUP 5A AND, IF NECESSARY, IN FULL COMMITTEE 5 (PLANNING) ON 29 JANUARY. SOVIET BLOC AND, HE PRESUMES, USA WOULD SUPPORT. WE INTEND TO DO SO.CATTO

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